



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION III
1650 Arch Street
Philadelphia, Pennsylvania 19103-2029

VIA UPS

MAY 19 2014

Mr. William R. Hearn
Environmental Engineer
Micron Technology, Inc.
Mail Stop 3-313
9600 Godwin Drive
Manassas, VA 20110

Re: Request for Information Pursuant to Section 3007(a) of the Resource Conservation and Recovery Act, 42 U.S.C. § 6927(a), Regarding Generation and Management of Hazardous Waste by Micron Technology, Inc.

Information Request - Reference No. C14-012
EPA ID No. VAR000004978

Dear Mr. Hearn:

The U.S. Environmental Protection Agency, Region III ("EPA") is requesting information from Micron Technology, Inc. (herein after "Micron" or the "Company") to supplement the information obtained by EPA during the September 18 & 19, 2013 inspection of the manufacturing facility located at 9600 Godwin Drive, Manassas, VA 20110 (the "Facility"). A copy of the EPA inspection report, documenting the findings of the inspector, is enclosed for your information and includes only those attachments not provided by the facility representative(s) at the time of or subsequent to the inspection.

EPA is requesting this information pursuant to the authority granted to it under Section 3007(a) of the Resource Conservation and Recovery Act ("RCRA"), 42 U.S.C. § 6927(a), which provides in relevant part that "any person who generates, stores, treats, transports, disposes of, or otherwise handles or has handled hazardous wastes shall, upon request of any officer, employee or representative of the Environmental Protection Agency, duly designated by the Administrator, . . . furnish information relating to such wastes" EPA hereby requires that you furnish to EPA, **within thirty (30) calendar days** of receipt of this letter, the information requested below, including all documents responsive to such request.

For each and every request, if you have any reason to believe that there may be a person(s) who may be able to provide a more detailed or complete response to such request or may be able to provide additional responsive documents, then as a part of your response to such request, identify each such person and the additional information or documents which such person may be able to provide. Furthermore, for each and every response, if information or documents responsive to such request are not in your possession, custody or control, then as part of your response to such request, identify each person from whom such information or documents may be obtained.

Please provide a separate narrative response to each question. Precede each answer with the number of the question or letter of the subpart of the question to which it corresponds. A request for documents shall be construed as a request for any and all documents maintained by you or in your custody, control, or possession or in the possession, custody or control of any of your employees or agents, relating to the matters described below. For each copy of a document produced in response to this

request, indicate on such copy, or in some other reasonable manner, the number of the request to which it responds, the current location and custodian of the original, the date such original was prepared, the person(s) who prepared the original and the date the document became effective at the Facility.

As used herein, the term "document" means: writings (handwritten, typed or otherwise produced or reproduced) and includes, but is not limited to, any invoices, checks, receipts, bills of lading, weight receipts, toll receipts, correspondence, offers, contracts, agreements, deeds, leases, manifests, licenses, permits, bids, proposals, policies of insurance, logs, books of original entry, minutes of meetings, memoranda, notes, calendar or daily entries, agendas, bulletins, notices, announcements, charts, maps, photographs, drawings, manuals, brochures, reports of scientific study or investigation, schedules, price lists, telegrams, teletypes, phonograph records, magnetic voice or video records, tapes, summaries, magnetic tapes, punch cards, recordings, discs, computer print outs, or other data compilations from which information can be obtained or translated.

All other terms used in this request for information that are defined in RCRA, 42 U.S.C. §§ 6901 *et seq.*, or 40 C.F.R. Parts 260-266 and 268 shall have the meanings set forth therein.

Requested Information

1. During the EPA Inspection, the EPA inspector observed a tank ("SOD Tank") and affiliated piping used to collect SOD process tool waste on the Fan Deck level of the Facility. Please refer to Photo #21 & Photo #22, included in the Photographic Log of the EPA Inspection Report, attached hereto. At the time of the EPA Inspection, the SOD Tank was not labeled with the words "Hazardous Waste." According to Facility personnel, the Facility began using SOD Tank a couple months prior to the EPA Inspection. Please provide the following information regarding the SOD Tank:
 - a. Indicate the exact date when Micron first put the SOD Tank into operation, and the exact date when Micron first began accumulating waste into the SOD Tank. If an exact date(s) cannot be determined, please estimate the approximate month and year.
 - b. State the capacity (m^3) of the SOD Tank.
 - c. A detailed list of the names, types and amounts of wastes which may enter the SOD Tank. Please include all EPA Hazardous Waste Code(s) (if applicable) and copies of all MSDS sheets and waste profiles relating to the waste(s) collected.
 - d. Indicate the volume to which the SOD Tank fills with waste prior to being pumped to the SOD Treatment Area at the Sub-Fab Level Chemical Dock.
 - e. Indicate how long it takes to fill the SOD Tank to the volume indicated in your answer to Question 1d., above. If an exact amount of time cannot be determined, please estimate on average, how long it takes and explain the basis for such estimate.
 - f. Provide a detailed narrative that explains how and when the SOD Tank and its ancillary equipment (e.g. piping, sumps, piping manifolds, etc.) were installed and constructed. Submit any and all supporting documentation such as "as-built" drawings, contractor proposals, contractor invoices, etc.
 - g. Provide a reviewed and certified written assessment from a qualified Professional Engineer that attests to the integrity of the SOD Tank and its ancillary equipment.

- h. Describe, in detail, any secondary containment systems used to prevent releases from the SOD Tank and its ancillary equipment.
- i. Describe, in detail, any spill (e.g. check valves, dry disconnect couplings) and overfill (e.g. level sensing devices, high level alarms, automatic cutoff valves, or bypass to a standby tank) controls installed on the SOD Tank to prevent releases from overfilling the tank.
- j. State whether or not the Facility conducts inspections of the SOD Tank. If inspections are conducted, please indicate:
 - i. how often inspections are conducted for the SOD Tank; and
 - ii. provide inspection records for the SOD Tank from the date the tank went into service to the date you receive this information request letter.

A copy of the September 18 & 19, 2013 EPA Inspection Report has been included with this information request as Attachment A, and includes only those attachments not provided by the facility representative(s) at the time of or subsequent to the inspection.

The provisions of Section 3008 of RCRA, 42 U.S.C. § 6928, authorize EPA to pursue penalties for failure to comply with or respond adequately to an information request under Section 3007(a) of RCRA. In addition, providing false, fictitious, or fraudulent statements or representations may subject you to criminal penalties under 18 U.S.C. § 1001. The information you provide may be used by EPA in administrative, civil or criminal proceedings.

You are entitled to assert a claim of business confidentiality covering any part or all of the information, in a manner described in 40 C.F.R. § 2.203(b). Information subject to a claim of business confidentiality will be made available to the public only in accordance with 40 C.F.R. Part 2, Subpart B. Unless a claim of business confidentiality is asserted at the time the requested information is submitted, EPA may make this information available to the public without further notice to you.

With regard to the Small Business Regulatory Enforcement and Fairness Act ("SBREFA"), please see the "Information for Small Businesses" memo, enclosed as Attachment B, which might be applicable to your company. This enclosure provides information on contacting the SBREFA Ombudsman to comment on federal enforcement and compliance activities and also provides information on compliance assistance. As noted in the enclosure, any decision to participate in such program or to seek compliance assistance does not relieve you of your obligation to respond in a timely manner to an EPA request or other enforcement action, create any rights or defenses under law, and will not affect EPA's decision to pursue this enforcement action. To preserve your legal rights, you must comply with all rules governing the administrative enforcement process. The Ombudsman and fairness boards do not participate in the resolution of EPA's enforcement action. EPA has not made a determination as to whether or not you [or your company] are covered by the SBREFA.

This request for information is not subject to review by the Office of Management and Budget pursuant to the Paperwork Reduction Act, 44 U.S.C. §§ 3501-3520.

Your response must include the following signed and dated certification:

I certify that the information contained in this response to EPA's request for information and the accompanying documents is true, accurate and complete. As to the identified portions of this response for which I cannot personally verify their accuracy, I certify under penalty of law that this response and all attachments were prepared in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fines and imprisonment for knowing violations.

Signature: _____
Name: _____
Title: _____

Please send, or otherwise ensure delivery of the requested information to:

Andrew Ma
US EPA Region III
Environmental Science Center
701 Mapes Road
Fort Meade, MD 20755-5350

If you have any questions concerning this matter, please contact Mr. Andrew Ma at (410)-305-3429.

Sincerely,



Carol Amend, Associate Director
Land and Chemicals Division
Office of Land Enforcement

Enclosures

cc: A. Ma (3LC70) w/o
T. DiFiore (3LC70) w/o